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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,998	06/03/2002	Douglas E. Stern	GEMS8081.124	7196
27061	7590	05/09/2006	EXAMINER	
ZIOLKOWSKI PATENT SOLUTIONS GROUP, SC (GEMS)			NGUYEN, CINDY	
14135 NORTH CEDARBURG ROAD			ART UNIT	
MEQUON, WI 53097			PAPER NUMBER	
			2161	

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/063,998

Applicant(s)

STERN ET AL.

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 03/03/06 have been fully considered but they are not persuasive.

In response to applicant's argument on the rejection under 35 U.S.C. 112, first paragraph. The rejection have been withdrawal.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, only the Smith et al. reference teaches all the limitations in claims 1, 5, 8-11, 15, 16 and 22, see the rejection below. Therefore, there is no need the suggestion or motivation to do so.

In response to applicant's argument that nowhere Smith teach or suggest that a processor is caused to automatically place a copy of a post on another computerized bulletin board related to another topic of interest. In response, Automatically placing a copy of the post on other computerized bulletin boards as cross-posts between a core newsgroup and a newsgroup corresponds to the relative strength of the link between the two groups, cross-posts simply means a

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single posting is post to Usenet so that it is destined to two or more newsgroups therefore automatically (this cross post by computer processing post one post to two or more newsgroups) placing a copy of the post on each other newsgroup.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 5, 8-11, 15, 16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (U.S 6594673) (Smith) in view of San Andres et al. (US 5956489) (San).

Regarding claim 1, Smith discloses: A method of cross-pollinating (cross-post) postings across more than one computerized bulletin board comprising the steps of:

Detecting a post having a body and a subject header to a computerized bulletin board (col. 7, lines 34-45, Smith);

Automatically determining at least one topic of relevance from the body of the post to the computerized bulletin (col. 6, lines 20-59, Smith); and

Automatically determining one or more other computerized bulletin boards related to the at least one topic of relevance (col. 6, lines 20-59, Smith);

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automatically placing a copy of the post on each of the one or more other computerized bulletin boards related to the at least one topic of relevance ¹(col. 6, lines 11-32, Smith).

Regarding claim 5, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Smith discloses: wherein the computerized bulletin board is related to general topics of relevance and the one or more other computerized bulletin boards are related to specific topics of relevance (col. 7, lines 57 to col. 8, lines 10, Smith).

Regarding claim 8, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Smith discloses: further comprising the step of determining if the post relates to a thread of previous posts on the computerized bulletin board and, if so, automatically placing the post in the thread (col. 5, lines 54-61, Smith).

Regarding claim 9, all the limitations of this claim have been noted in the rejection of claim 8. In addition, Smith discloses: further comprising the step of automatically creating a new thread on the computerized bulletin board related to the at least one topic of relevance (col. 6, lines 18-32, Smith).

¹ Automatically placing a copy of the post on other computerized bulletin boards as cross-posts between a core newsgroup and a newsgroup corresponds to the relative strength of the link between the two groups, cross-posts simply means a single posting is post to Usenet so that it is destined to two or more newsgroups therefore automatically placing a copy of the post on each other newsgroup.

Regarding claim 10, Smith discloses: A computer readable storage medium having a computer program for content tagging posts to computerized bulletin boards and representing a set of instructions that when executed by a computer causes the computer to: detect a user post to a general computerized bulletin board, the post having a subject identifier and a commentary (col. 7, lines 34-45, Smith); determine one or more specific topics of relevance of the user post from text of commentary of the user post (col. 4, lines 32-46 and col. 7, lines 34-45, Smith); determine one or more specific computerized bulletin boards dedicated to the one or more specific topics of relevance (col. 6, lines 48-59, Smith); and place a copy of the user post on each of the one or more specific computerized bulletin boards (col. 6, lines 18-33, Smith).

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claim 10. In addition, Smith/San discloses: wherein the set of instructions further causes the computer to search the text of the commentary of the user post for one or more keywords indicative of the one or more specific topics of relevance to which the user post refers (col. 7, lines 57 to col. 8, lines 10, Smith).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 10. In addition, Smith/San discloses: wherein the set of instructions further causes the computer to determine an author of the post and based on the determined author place a copy of the post to one or more specific computerized bulletin boards dedicated to one or more fields of interest of the author (col. 7, lines 34-53, Smith).

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Regarding claim 15, all the limitations of this claim have been noted in the rejection of claim 10. In addition, Smith discloses: wherein the set of instructions further causes the computer to automatically place the user post in a thread dedicated to a specific topic of relevance on the one or more specific computerized bulletin boards (col. 6, lines 18-32, Smith).

Regarding claim 16, all the limitations of this claim have been noted in the rejection of claim 10. In addition, Smith/San discloses: wherein the set of instructions further causes the computer to automatically generate a new thread on a specific computerized bulletin board dedicated to a specific topic of relevance of the user post (col. 6, lines 18-32, Smith).

Regarding claim 22, Smith/San discloses: A computerized system of networked bulletin boards to facilitate discussion of a number of topics of interest comprising:

a set of content-specific bulletin boards wherein each content-specific bulletin board is dedicated to a specific topic of interest (col. 5, lines 54-61, Smith);

a content-general bulletin board dedicated to a general topic interest related to the specific topics of interest (col. 6, lines 18-34, Smith);

at least one GUI (180, fig. 10, Smith) having a hyperlink thereon corresponding to at least one of the content-specific bulletin boards and the content-general bulletin board (col. 9, lines 1-40, Smith); and
a computer having: means to display the at least one GUI (180, fig. 10, Smith);

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means to detect a user post associated with at least one topic of interest (col. 5, lines 62 to col. 6, lines 3, Smith);

means to determine at least one of a specific topic of interest and a general topic of interest of the user post (col. 5, lines 43-53, Smith); and

means to automatically place a copy of the user post on each content-specific bulletin board to which the post relates and on the content-general bulletin board without copying all other user posts of the set of content-specific bulletin boards (col. 6, lines 18-32, Smith).

2. Claims 2- 4, 6, 7, 12, 14, 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (U.S 6594673) (Smith) in view of Knight et al. (US 6721748) (Knight).

Regarding claim 2, all the limitations of this claim have been noted in the rejection of claim 1. However, Smith didn't disclose: further comprising the step of searching the body of the post for one or more keywords indicative of the at least one topic of relevance. On the other hand, Knight discloses: further comprising the step of searching the post for one or more keywords indicative of the at least one topic of relevance (col. 20, lines 15-54, Knight). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the step of searching the post for one or more keywords indicative of the at least one topic of relevance in the system of Smith as taught by Knight. The motivation being to enable the user to search for posts directly related to specific topics (col. 20, lines 15-54, Knight).

Regarding claim 3, all the limitations of this claim have been noted in the rejection of claim 2. In addition, Smith/ Knight discloses: further comprising the step of accessing a smart database and determining therefrom terms related to the one or more keywords (col. 4, lines 32-46, Smith).

Regarding claim 4, all the limitations of this claim have been noted in the rejection of claim 2. in addition, Smith /Knight discloses: further comprising the step of matching the one or more keywords with one or more computerized bulletin board topic identifiers to determine an appropriate computerized bulletin board to place a copy of the post (col. 16, lines 25-39, Knight).

Regarding claim 6, all the limitations of this claim have been noted in the rejection of claim 5. In addition, Smith /Knight discloses: further comprising the step of scanning text of the post to the computerized bulletin board related to general topics of relevance for keywords referencing one or more specific topics of relevance (col. 13, lines 23-40, Knight) and automatically placing a copy of the post on each of the one or more other computerized bulletin boards related to the one or more specific topics of relevance (col. 6, lines 18-32, Smith).

Regarding claim 7, all the limitations of this claim have been noted in the rejection of claim 6. In addition, Smith /Knight discloses: further comprising the step of automatically placing a copy of a post to a computerized bulletin board related to a

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specific topic of relevance on the computerized bulletin board dedicated to general topics of relevance (col. 6, lines 18-32, Smith).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Smith /Knight discloses: wherein the set of instructions further causes the computer to scan at least text in a subject identifier and text in a body of the user post to find the one or more keywords indicative of the one or more specific topics of relevance (col. 13, lines 27-40, Knight).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 13. In addition, Smith /Knight discloses: wherein the set of instructions further causes the computer to determine the one or more fields of interest of the author from a look-up table containing data correlating author information with field-of-interest information (col. 15, lines 64 to col. 14, lines 15, Knight).

Regarding claim 17, Smith /Knight discloses: a computer data signal embodied in a carrier wave and representing a set of instructions which, when executed by at least one processor, causes the at least one processor to integrate a post with one or more computerized bulletin boards by:

displaying a GUI having thereon one or more buttons, wherein each button is associated with a topic of interest (col. 9, lines 1-22, Smith).

detecting a user selection of a button (col. 9, lines 1-23, Smith);

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receiving a post having a subject identifier and a body relevant to a topic of interest associated with the button selected (col. 7, lines 20-45, Smith);

placing the post on a computerized bulletin board dedicated to the topic of interest (col. 6, lines 18-32);

scanning the body of the post and determining another topic of interest to which the post is relevant (col. 6, lines 32-52, Knight). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include scanning the body of the post and determining another topic of interest to which the post is relevant in the system of Smith as taught by Knight. The motivation being to enable the system provide the query handling routine automatically downloads those messages corresponding to information categories indicated a of most interest to the particular user col. 6, lines 32-52.

automatically placing a copy of the post on another computerized bulletin board related to the another topic of interest (col. 6, lines 18-32, Smith).

Regarding claim 18, all the limitations of this claim have been noted in the rejection of claim 17. In addition, Smith/Knight discloses: further causing the act of determining at least one subtopic of interest of the user post (col. 5, lines 43-61, Smith).

Regarding claim 19, all the limitations of this claim have been noted in the rejection of claim 18. In addition, Smith/Knight discloses: further causing the act of assigning the post to a thread of previous posts discussing a subtopic of interest (col. 6, lines 48-59, Smith).

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Regarding claim 20, all the limitations of this claim have been noted in the rejection of claim 18. In addition, Smith/Knight didn't disclose: further causing the act of generating a new thread of discussion related to a subtopic of interest if there is not an existing thread of discussion dedicated to the subtopic of interest (col. 10, lines 40-50, Knight).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 17. In addition, Smith/ Knight disclose: further causing the act of detecting a user post directly to a computerized bulletin board dedicated to a topic of interest and automatically placing a copy of the user post directly to another computerized bulletin board dedicated to another topic of interest to which the user post directly to the computerized bulletin board relates (col. 6, lines 18-32, Smith).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

3. Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4160. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Cindy Nguyen
May 4, 2006


FRANTZ COBY
PRIMARY EXAMINER